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I hereby certify that this paper is being facsimile transmitted to the Asst. Commissioner for Patents on the date reted below.

Daniel J. Bersohn

Dated: August 23, 2004

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by any form PTO-2038 which may be attached hereto, authorization to charge the

extension fee to Account No. 06-

Application No.10/622,900 Response to Office Action

Attorney Docket No. 02233D/LH

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): SHINJI KANEKO

Serial No. : 10/622,900

Filed July 17, 2003 :

For VARIABLE-PROFILE OPTICAL

DEVICE INCLUDING

VARIABLE-PROFILE MIRROR

AND OPTICAL ELEMENT

INCLUDING VARIABLE-PROFILE

OPTICAL ELEMENT

Art Unit : 2872

: MOHAMMAD Y. SIKDER Examiner

## **AMENDMENT**

MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

This is responsive to the Office Action mailed June 15, 2004, the term for response to which expires on September 15, 2004.

Amendments to the Claims are set forth in the listing of claims which begins on page 2 of this paper. Claims 1, 2 and 4 are amended; and claims 3 and 5 are maintained.

Remarks begin on page 5 of this paper.